

RECEIVED

DEC 22 2003

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase No.: 43-4239

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:


Roger D. Ling

Attorney for C-Bar Cattle Company

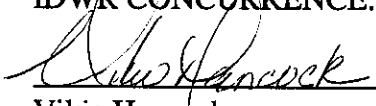
Date 12/16/03

CLAIMANT:


Alvin Neddo

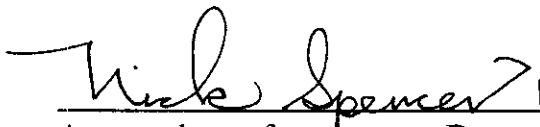
Date 12/16/03

IDWR CONCURRENCE:


Vikie Hancock

Sr. Water Resource Agent

Date 12/16/03


Approved as to form

Attorney for IDWR

Date 12-17-03

11/25/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-4239
NAME AND ADDRESS: C BAR CATTLE CO
C/O CHRISTOPHER F ROBINSON
139 E SOUTH TEMPLE #310
SALT LAKE CITY UT 84111

ALVIN NEDDO
2252 E 1500 S
MALTA ID 83342

SOURCE: GROUND WATER
QUANTITY: 0.510 CFS
369.000 AFY
PRIORITY DATE: 09/27/1954
POINT OF DIVERSION:

TRIBUTARY:

T13S R28E S26 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.510 CFS 369.00 AFY

PLACE OF USE: STOCKWATER Within CASSIA County

~~T13S R28E S23~~ SWSW	T13S R28E S23	SWSE
~~T13S R28E S23~~ SENW	~~T13S R28E S26~~ NWNE	
T13S R28E S26 NENE	~~T13S R28E S26~~ SENE	
T13S R28E S26 SWNE	T13S R28E S27 NESW	
~~T13S R28E S27~~ SENW	~~T13S R28E S28~~ NWSE	
~~T13S R28E S29~~ NESW	T13S R28E S28 NESE	
~~T13S R28E S33~~ SWSE	~~T13S R28E S33~~ SENE	
~~T13S R28E S34~~ NWSW	~~T13S R28E S33~~ NESE	
~~T13S R28E S35~~ SENE	~~T13S R28E S34~~ SENW	
~~T13S R28E S35~~ SWNE	~~T13S R28E S34~~ NWSE	
T13S R28E S35 SESW	~~T13S R28E S35~~ SENW	
T13S R28E S36 NWSW	T13S R28E S35 SESE	
~~T14S R28E S01~~ NWSE	~~T13S R28E S35~~ NENW	
~~T14S R28E S01~~ NWNE	~~T14S R28E S01~~ SWNE	

NBS
Alvin Neddo

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

~~THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.~~

EXPLANATORY MATERIAL: Beneficial Use
STOCKWATER 1200 HEAD

SOME LANDS ARE OWNED BY THE BLM UPON WHICH APPLICANT HAS A
VALID GRAZING PERMIT.

CERTIFICATE OF SERVICE

I certify that on December 18, 2003, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

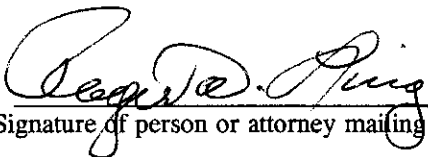
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Nicholas B. Spencer
Deputy Attorney General
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Alvin Neddo
2252 E 1500 S
Malta, ID 83342

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form